

Docket No.: 57810-076



gfw
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Daijiro INOUE, et al. : Confirmation Number: 2234
Application No.: 10/663,714 : Group Art Unit: 2826
Filed: September 17, 2003 : Examiner: A. Sefer
For: NITRIDE-BASED SEMICONDUCTOR LIGHT-EMITTING DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated January 21, 2005, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of one of the following Species:

Species I. Embodiment 1 shown in Fig. 1;

Species II. Embodiment 2 shown in Fig. 6;

Species III. Embodiment 3 shown in Fig. 10; or

Species IV. Embodiment 4 shown in Fig. 14.

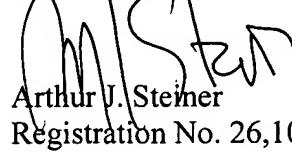
In response, Applicants elect to prosecute Species IV, directed to Embodiment 4 as shown in Fig. 14. Further, Applicants list claims 1 through 7, 9, 11, 12, 14 through 16 and 23 as readable on the elected Species.

Favorable consideration of claims 1 through 7, 9, 11, 12, 14 through 16 and 23 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 AJS:ntb
Facsimile: 202.756.8087
Date: February 15, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**